

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001 <i>This document relates to: Federal Insurance Co. v. al Qaida, 03-cv-6978 (RCC)</i>	03 MDL 1570 (RCC) ECF Case
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**DEFENDANT SANABIL INC.'S REPLY MEMORANDUM IN FURTHER SUPPORT OF
ITS MOTION TO DISMISS**

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Attorney for Defendant Sanabil, Inc.

**I. SANABIL, INC. DID IN FACT MERGE INTO SANABEL AL-KHEER AND
THUS, NO LONGER EXISTS.**

When the exhibits attached to the underlying motion are coupled with the undersigned counsel's representation that Sanabil, Inc. no longer exists and that any assets the corporation may have had merged into Sanabel Al Kheer, this Court can and should dismiss Sanabil, Inc.. The Plaintiffs will not be prejudiced by this dismissal since all of their allegations against Sanabil, Inc. will merge into Sanabel Al Kheer as additional allegations.

Moreover, as to the "survival statute" Plaintiff refers to on page 11 of their opposition, both this Court as well as Plaintiffs' counsel should be aware that any assets Sanabil, Inc. would have had would also have merged into Sanabel Al-Kheer as of February 28, 2001 – when all the right, title and interest was assigned to Sanabel Al-Kheer. Given that there is no claim that this transaction was designed to hide assets of the original corporate entity, the claims against the defunct entity – Sanabil, Inc. – should be dismissed.

Accordingly, Sanabil, Inc.'s motion to dismiss can and should be granted since all right, title and interest had been assigned to Sanabel Al Kheer as of February 28, 2001.

Respectfully Submitted,

/s/

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Dated: August 16, 2006

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Motion to Dismiss was served via electronic case filing on this 16th day of August, 2006, upon the following:

Mr. Sean P. Carter, Esq.
Cozen O'Connor
1900 Market St.
Philadelphia, Pa. 19103-3508

_____/s/_____
Lisa D. Angelo, Esq.